



Journal of the Senate

Number 9—Regular Session

Wednesday, April 2, 2008

CONTENTS

Bills on Third Reading	382
Call to Order	379
Co-Introducers	415
Committee Substitutes, First Reading	392
Enrolling Reports	415
Executive Business, Reports	392
Motions Relating to Committee Reference	388
Reference Changes, Rule 4.7(2)	411
Reports of Committees	388
Resolutions	379
Senate Pages	415
Special Order Calendar	383

CALL TO ORDER

The Senate was called to order by President Pruitt at 2:30 p.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Excused: Senator Wilson

PRAYER

The following prayer was offered by the Rev. James Golden, Ward Temple A.M.E. Church, Bradenton:

God of the morning dawn and the evening dusk; God of the noonday bright and the midnight dark; God of every second, of every minute, of every hour, of every day; God of the years of our lives, the lives of each and all of us now henceforth and forever more.

Just a few of your divinely created creatures now bow their heads and bend their minds toward you in thanksgiving.

First, we want to say thank you for your saving grace that allows us to be numbered among the living at this moment and counted among those who have received from you today a reasonable measure of faith to use, hope to embrace, and love to share. We thank you for your tender mercy that only requires us to be steadfast and unmoveable in our search for truth, our commitment to justice, and our desire for peace and goodwill among all humankind. We thank you for your unsearchable wisdom that keeps us moving step by step along the path of your righteousness, through the valley of the shadow of death, towards a time and place where the wicked will no longer be troubling to us, where we can rest from our weary labors, and where every day will be filled with unceasing joy.

Now, God, we ask you to bring your spirit into this place, your spirit of unity so all that is said and done here today is a blessing to your people across the length and breadth of this great state.

We ask you to bring your spirit of equity into this place so all that is said and done here today is fair to your people across the length and breadth of this great state.

But most of all we ask you to bring your spirit of fidelity into this place so all that is said and done here today is righteous and truth for all of your people. Because we know that only the truth can make us free from the shame and pain of our error-filled yesterdays. Only the truth can show us how to make more bricks with less straw for our unpromised tomorrows. Only the truth will set us free to be used today as a blessing by you and a blessing to others. Now hear us in the name of truth as we give thanks. Help us in the name of truth as we receive your blessings. Together, the people of God said, Amen.

PLEDGE

Senate Pages Cydnee “Sydney” Johnson of Jacksonville; Justin Hoover of Okeechobee; Amber Quill of Port Charlotte; and Matthew “Matt” Saunders of Naples, son of Senator Saunders, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

By Senator Rich—

SR 1002—A resolution recognizing the AARP on its 50th Anniversary.

WHEREAS, AARP is a voluntary, nonprofit, nonpartisan membership organization that has a 50-year history of leading positive social change by harnessing the individual and collective power of its members to improve the lives of residents of the United States and Florida as they age, and

WHEREAS, AARP has, since its establishment in 1958 by retired educator Ethel Percy Andrus, taken as its motto “To serve, not to be served,” and

WHEREAS, AARP’s “army of useful citizens” in Florida includes more than 3,200 volunteers who offer courses in money management, assistance in tax preparation, safe driving courses, advocacy services, job training, intergenerational education, community rebuilding, home visitation, and nonpartisan voter education, and

WHEREAS, AARP has amplified its members’ voices on issues of statewide importance such as high quality and affordable health care, lifetime financial security, and consumer protection, and

WHEREAS, AARP has helped to foster proactive policies that enable Florida residents to achieve the quality of life and peace of mind they deserve, and

WHEREAS, AARP exemplifies the belief that diversity in age, economic status, attitudes, ability, and lifestyles is a source of strength for the state and nation, and

WHEREAS, AARP works to develop strong communities that are characterized by affordable and appropriate housing, ease of mobility, and features and services that support the lives and lifestyles of people of all ages, and

WHEREAS, having successfully built alliances statewide among businesses, communities, and Florida's residents of all generations, AARP continues to work towards an economic environment that supports and promotes the potential of mature workers, and

WHEREAS, AARP recognizes that ensuring the safety, involvement, health, and well-being of residents 50 years of age and older is not a destination but a continuing journey, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate congratulates the AARP for 50 years of service to this state and nation and for championing the future of every generation.

—was introduced out of order and read by title. On motion by Senator Rich, **SR 1002** was read the second time in full and adopted.

On motion by Senator Storms—

By Senators Storms and Gaetz—

SR 1534—A resolution expressing gratitude and support for the men and women of the United States military serving in the Global War on Terror and recognizing June 16, 2008, as “Vets for Victory Day” in the State of Florida.

WHEREAS, almost 2 million American men and women serving in the United States military as active-duty members of the United States Armed Forces, members of the National Guard, and military reservists are on duty around the world, charged with the responsibility of protecting the United States, its citizens, and our interests and allies, and

WHEREAS, many of these servicemembers are currently engaged in combat in Iraq and Afghanistan, fighting the “Global War on Terror,” and

WHEREAS, over 125,000 men and women from Florida have served in the military in Iraq and Afghanistan as part of the Global War on Terror, and

WHEREAS, over 28,000 American troops have been wounded in combat in Iraq since March 19, 2003, while more than 3,800 others have made the ultimate sacrifice by giving their lives in service to their country, and

WHEREAS, all members of the United States military who are engaged in fighting the Global War on Terror do so with considerable personal sacrifice, which often includes long separations from their families, and

WHEREAS, the Armed Forces of the United States continue to protect all Americans, the interests of our nation, and our allies from those who are our avowed enemies and, in doing so, need and deserve our complete respect and support, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate declares its complete and unwavering support for the American men and women serving in the United States military as active-duty members of the United States Armed Forces, members of the National Guard, and military reservists, both around the world and here at home, and for their mission in conducting the Global War on Terror.

BE IT FURTHER RESOLVED that, on behalf of the people of the State of Florida, the Florida Senate affirms that we will not abandon our servicemen and servicewomen in this time of war and pledges its full support to them and to their efforts to secure victory.

BE IT FURTHER RESOLVED that, on behalf of the people of the State of Florida, the Florida Senate expresses its deepest gratitude and heartfelt pride for the sacrifices and bravery of our servicemen and servicewomen both at home and abroad and expresses its utmost gratitude for their heroic service to the United States of America.

BE IT FURTHER RESOLVED that, in recognition of their service to the nation, the Florida Senate recognizes June 16, 2008, as “Vets for Victory Day” in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the United States Secretary of Defense, to the United States Secretary of Veterans Affairs, to each member of the Florida delegation to the United States Congress, to the Governor of the State of Florida, and to the Executive Director of the Florida Department of Veterans' Affairs, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 1534** was read the second time in full and adopted.

At the request of Senator Fasano—

By Senators Fasano and Bullard—

SR 110—A resolution recognizing October 1-15, 2008, as “Disability History and Awareness Weeks” and encouraging public schools and universities to provide instruction on disability history, people with disabilities, and the disability rights movement.

WHEREAS, according to the United States Census, in 2000, this state had a population of 3,274,566 people with disabilities, who comprised a large percentage of the total population of 15,982,378 persons, and

WHEREAS, the National Center for Education Statistics reported that in 2002 the K-12 education system in this state included 379,609 students with disabilities, or approximately 20 percent of the student body, and

WHEREAS, the Americans with Disabilities Act of 1990 is founded on four principles: inclusion, full participation, economic self-sufficiency, and equality of opportunity for all people with disabilities, and

WHEREAS, research has shown that students with disabilities have a harder time fitting in with their peers, making friends, and becoming involved in school and community-based activities and clubs, and

WHEREAS, to ensure the full inclusion of people with disabilities in society, it is necessary to expand the public's knowledge, awareness, and understanding of the history of disabilities and the disability rights movement, and

WHEREAS, a key method of promoting such understanding is the provision by the public schools of instruction concerning disability history, people with disabilities, and the disability rights movement through the school curriculum, school assemblies, and other school activities, and

WHEREAS, it is desirable that state postsecondary institutions promote activities that provide education, awareness, and understanding regarding people with disabilities, and

WHEREAS, the Legislature also encourages cooperation between educational institutions and community-based organizations, including centers for independent living, youth information centers, and parent training and information centers, as a way to promote better treatment and fairer hiring practices for people with disabilities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate urges the public schools to provide intensive instruction on disability history, people with disabilities, and the disability rights movement, especially during the first 2 weeks of October, and periodically throughout the school year, and encourages postsecondary institutions to conduct and promote educational activities concerning those subjects.

BE IT FURTHER RESOLVED that October 1-15, 2008, be recognized as “Disability History and Awareness Weeks” in this state.

—**SR 110** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senators Rich and Haridopolos—

SR 974—A resolution recognizing November 10-16, 2008, as “Spinal Cord Injury Awareness Week” in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the “information superhighway” of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and muscle control, and

WHEREAS, currently there are approximately 250,000 to 400,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 11,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 30 percent of all injuries occurring between the ages of 17 and 23, and 53 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, gunshot wounds, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from \$250,000 to \$700,000 the first year after injury, with an estimated lifetime cost ranging between \$500,000 and \$3 million depending on the severity of injury, and

WHEREAS, in the past 15 years, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 10-16 working with local governments and schools to educate Floridians about the causes and treatments for spinal cord injuries, as well as informing residents on how to prevent these injuries from taking place, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the week of November 10-16, 2008, is recognized as “Spinal Cord Injury Awareness Week” in the State of Florida.

—**SR 974** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senators Fasano and Gaetz—

SR 1356—A resolution recognizing February 6, 2008, as “Ronald Reagan Day” in the State of Florida.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good in his employment as an entertainer, union leader, corporate spokesman, Governor of California, and President of the United States, and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America and, in earning his second term, won the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election a record unsurpassed in the history of American presidential elections, and

WHEREAS, in 1981 when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment, and

WHEREAS, during Mr. Reagan’s presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to an unprecedented economic expansion and opportunity for millions of Americans, and

WHEREAS, Mr. Reagan’s commitment to an active social policy agenda for the nation’s children helped lower crime and drug use in our neighborhoods, and

WHEREAS, President Reagan’s commitment to our Armed Forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America’s Armed Forces to meet 21st-century challenges, and

WHEREAS, President Reagan’s vision of “peace through strength” led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people, and

WHEREAS, February 6, 2008, will be the 97th Anniversary of Ronald Reagan’s birth and the third since his passing, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes February 6, 2008, as “Ronald Reagan Day” in Florida.

BE IT FURTHER RESOLVED that the Senate urges all residents of the state to take cognizance of this event and participate in its observance.

—**SR 1356** was introduced, read and adopted by publication.

At the request of Senator Lynn—

By Senator Lynn—

SR 2934—A resolution recognizing March 30, 2008, through April 5, 2008, as “Girl Scout Week” in Florida.

WHEREAS, Friday, March 12, 2008, marked the 96th Anniversary of the founding of the Girl Scouts of the United States of America by Juliette Gordon Low in 1912, and

WHEREAS, on March 16, 1950, the Girl Scouts became the first national organization for girls to be granted a Federal Charter by Congress, and

WHEREAS, throughout its long and distinguished history, Girl Scouts - the preeminent organization for girls - has inspired millions of girls with the highest ideals of character, conduct, patriotism, and service to others so that they may become model citizens in their communities, and

WHEREAS, some 50 million women have enjoyed the benefits of the Girl Scouts program, as an American tradition, for 96 years, and

WHEREAS, the State of Florida is home to more than 104,000 participants in the Girl Scouts program, and

WHEREAS, Girl Scouting offers leadership and guidance to businesses and communities in teaching girls the skills needed to take active roles in math, science, and technology careers and to fulfill our country’s economic needs, and

WHEREAS, the Girl Scouts offers girls age 5 through 17 a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls’ interests and needs, and

WHEREAS, through Girl Scouting, every girl everywhere can grow strong, gain self-confidence and skills for success, and learn her responsibilities to the world around her, and

WHEREAS, through participation in the legislative process, Girl Scouts learn how to use their own voices to address issues of concern to them and how to go about making changes for the betterment of society, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes March 30, 2008, through April 5, 2008, as "Girl Scout Week in Florida."

—**SR 2934** was introduced, read and adopted by publication.

SENATOR MARGOLIS PRESIDING

BILLS ON THIRD READING

CS for SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring that commodities or services for the system be procured by competitive solicitation or from a state term contract; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 1026** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Nays—None

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 966** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Crist	Haridopolos
Alexander	Dawson	Hill
Aronberg	Deutch	Jones
Atwater	Diaz de la Portilla	Joyner
Baker	Dockery	Justice
Bennett	Fasano	King
Bullard	Gaetz	Lawson
Carlton	Garcia	Lynn
Constantine	Geller	Margolis

Oelrich	Ring	Villalobos
Peaden	Siplin	Webster
Posey	Storms	Wise
Rich		

Nays—None

Vote after roll call:

Yea—Dean, Saunders

CS for SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

—was read the third time by title.

On motion by Senator Hill, **CS for SB 732** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wise
Deutch	Lawson	
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Dean, Saunders

SB 874—A bill to be entitled An act relating to title loans; amending s. 537.002, F.S.; clarifying that ch. 537, F.S., the Florida Title Loan Act, regulates title loans to consumers; amending s. 537.003, F.S.; defining the term "consumer" for purposes of ch. 537, F.S.; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 874** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Nays—None

CS for CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term

“temporary help firm” to include a labor pool; redefining the term “temporary employee” to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; requiring the labor pool to provide written notice to the temporary employee regarding the availability of work and reassignment; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for CS for SB 854** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Nays—None

SPECIAL ORDER CALENDAR

By Senator Bennett—

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to \$300,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendment to be considered:

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (325238)(with title amendment)—On line 22, delete “\$300,000” and insert: \$280,000

And the title is amended as follows:

Delete line 4 and insert: authorized amount of a day-labor contract to \$280,000;

Pursuant to Rule 4.19, **CS for CS for SB 1276** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

SB 2516—A bill to be entitled An act relating to memory disorder clinics; amending s. 430.502, F.S.; revising terminology relating to the East Central Florida Memory Disorder Clinic; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2516** was placed on the calendar of Bills on Third Reading.

SM 2662—A memorial to the Congress of the United States, urging Congress to increase federal funding for Alzheimer’s disease research.

WHEREAS, Alzheimer’s disease is a progressive degenerative disorder that destroys cells in the brain and is the leading cause of dementia, a condition that involves memory loss, decline in the ability to perform routine tasks, disorientation, difficulty in learning, loss of language skills, impairment of judgment, and personality changes, and

WHEREAS, as Alzheimer’s disease progresses, individuals with the disease become unable to care for themselves, and

WHEREAS, as many as 5 million Americans have Alzheimer’s disease, including approximately 500,000 Floridians, and, by 2050, the number of individuals in the United States with the disease could range from 13 million to 16 million unless a way to prevent or cure the disease is discovered, and

WHEREAS, Alzheimer’s disease strikes approximately 1 in 10 people over the age of 65 and nearly half of those who are age 85 or older, and

WHEREAS, the average lifetime cost of care for an individual with Alzheimer’s disease is \$170,000, and

WHEREAS, half of all nursing home residents have Alzheimer’s disease or a related disorder, with the average annual cost of nursing home care for individuals with the disease exceeding \$70,000 per resident, and

WHEREAS, Medicaid pays half of the total nursing home bills for individuals with Alzheimer’s disease and helps 2 out of 3 residents pay for their care, and

WHEREAS, Medicaid expenditures for nursing home care for individuals with Alzheimer’s disease are estimated to increase from \$21 billion in 2005 to \$24 billion in 2010, and

WHEREAS, 1 in 8 caregivers for individuals with Alzheimer’s disease becomes ill or injured as a direct result of caregiving, and 1 in 3 uses medication for problems related to caregiving, with older caregivers being 3 times more likely to become clinically depressed than others in their age group, and

WHEREAS, a 4-year study conducted by researchers from the University of Pittsburgh showed that elderly spouses strained by caregiving were 63 percent more likely to die during that 4-year period than their noncaregiving counterparts, and

WHEREAS, if our nation achieves its research goals of preventing the onset of Alzheimer’s disease in those at risk and treating and delaying progression of the disease in those already ill, annual Medicare savings would be \$51 billion by 2015 and \$88 billion by 2020, annual Medicaid savings would be \$10 billion in 2015 and \$17 billion by 2020, and the projected number of cases of the disease would be reduced by 40 percent by the middle of the century, and

WHEREAS, a cure for Alzheimer’s disease may be achieved sooner by increasing funding of Alzheimer’s disease research at established and reputable research institutes, and

WHEREAS, the Congress of the United States appropriated \$642 million for Alzheimer’s disease research during fiscal year 2007-2008, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to increase federal funding for Alzheimer’s disease research by \$360 million during fiscal year 2008-2009.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Peaden, **SM 2662** was adopted and certified to the House. The vote on adoption was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Nays—None

By Senator Dawson—

SB 1092—A bill to be entitled An act relating to the Medicaid waiver program for patients who have Alzheimer's disease; amending s. 430.502, F.S.; extending the authority to continue the waiver program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a comparative study of Medicaid home and community-based-services waiver programs; requiring that the findings and recommendations be submitted to the Legislature by a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1092** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s.

429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the second time by title.

On motion by Senator Storms, further consideration of **CS for CS for CS for SB 2216** was deferred.

On motion by Senator Bennett, by two-thirds vote—

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s.

626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendments which were adopted:

Amendment 1 (872954)—Delete lines 137-140 and insert: *paragraph, the practice of "churning" or "twisting" must involve fraudulent conduct.*

Amendment 2 (487244)—Delete lines 280 and 281 and insert:

(b) *"Life insurance contract" means a whole life, universal life, variable life, or equity indexed life insurance contract.*

Amendment 3 (416612)—Delete lines 312-332 and insert:

1. *Personal information including the age and sex of the parties to the annuity or life insurance, and the ages and number of any dependents;*
2. *Tax status of the consumer;*
3. *Investment objectives of the consumer;*
4. *The source of the funds to be used to purchase the annuity;*
5. *The applicant's annual income;*
6. *Intended use of the annuity or life insurance policy;*
7. *The applicant's existing assets, including investment and life insurance holdings;*
8. *The applicant's liquid net worth and liquidity needs;*
9. *The applicant's financial situation and needs;*
10. *The applicant's risk tolerance; and*

Amendment 4 (833278)—On line 487, after "available" insert: *from the entity or entities responsible for maintaining the records pursuant to paragraph (4)(f),*

Amendment 5 (660516)(with title amendment)—Between lines 545 and 546 insert:

Section 11. *The Department of Financial Services may adopt rules to implement this act effective upon the act becoming law. Such rules may not be effective until 60 days after the date on which the final rule is adopted or January 1, 2009, whichever is later.*

(Redesignate subsequent section.)

And the title is amended as follows:

On line 55, after the semicolon (;) insert: *authorizing the Department of Financial Services to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules;*

Pursuant to Rule 4.19, **CS for CS for SB 2082** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Deutch, by two-thirds vote—

CS for CS for SB 2012—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; providing an effective date.

—was read the second time by title.

Senator Deutch moved the following amendment which was adopted:

Amendment 1 (192698)(with directory and title amendments)—Delete lines 91 and 92 and insert:

Section 2. Paragraph (c) of subsection (5) and subsection (6) of section 626.9543, Florida Statutes, are amended to read:

626.9543 Holocaust victims.—

(5) **PROOF OF A CLAIM.**—Any insurer doing business in this state, in receipt of a claim from a Holocaust victim or from a beneficiary, descendant, or heir of a Holocaust victim, shall:

(c) Permit claims irrespective of any statute of limitations or notice requirements imposed by any insurance policy issued, provided the claim is submitted on or before July 1, 2018 ~~within 10 years after the effective date of this section.~~

(6) **STATUTE OF LIMITATIONS.**—Notwithstanding any law or agreement among the parties to an insurance policy to the contrary, any action brought by Holocaust victims or by a beneficiary, heir, or a descendant of a Holocaust victim seeking proceeds of an insurance policy issued or in effect between 1920 and 1945, inclusive, shall not be dismissed for failure to comply with the applicable statute of limitations or laches provided the action is commenced on or before July 1, 2018 ~~within 10 years after the effective date of this section.~~

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the directory clause is amended as follows:

Delete lines 14 and 15 and insert:

Section 1. Effective January 1, 2009, and applicable to policies issued or renewed on or after that date, section 627.94073, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete lines 2-10 and insert: An act relating to insurance policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination of long-term care insurance policies; requiring that a canceled long-term care policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; amending s. 626.9543, F.S.; extending the period within which certain insurers must permit claims from a Holocaust victim or from a beneficiary, descendant, or heir of such a victim; extending the period within which certain actions brought by such a victim, descendant, or heir seeking proceeds of certain insurance policies may not be dismissed; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 2012** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote—

CS for SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

—was read the second time by title.

Senator Posey moved the following amendments which were adopted:

Amendment 1 (140284)—Delete lines 72-77 and insert:

8. *A trustee, sponsor, or custodian of assets held in any plan governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. ss. 1001 et seq., or in any other retirement or employee benefit plan, has an insurable interest in the life of any participant in the plan with the written consent of the prospective insured. An employer, trustee, sponsor, or custodian may not*

Amendment 2 (116808)—Delete lines 83-87 and insert: *partners, and managers of the business entity or any affiliate or subsidiary of the business entity, or key employees or key persons of the business entity or affiliate or subsidiary, if consent is obtained in writing from the key employees or persons before the insurance is purchased. The business entity or affiliate or subsidiary may not retaliate*

Amendment 3 (121536)—On line 90, after the period (.) insert: *For purposes of this subsection, a “key employee” or “key person” means an individual whose position or compensation is described in s. 101(j)(2)(A)(ii) of the Internal Revenue Code of 1986.*

Pursuant to Rule 4.19, **CS for SB 648** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for SB 604—A bill to be entitled An act relating to quarter horse racing; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendments which were adopted:

Amendment 1 (244650)(with title amendment)—Between line(s) 14 and 15 insert:

Section 1. Subsection (11) of section 550.002, Florida Statutes, is amended to read:

550.002 Definitions.—As used in this chapter, the term:

(11) “Full schedule of live racing or games” means, for a greyhound or jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or filed an application on or before June 1, 1990, for a converted permit, the conduct of a combination of at least 100 live evening and matinee wagering performances during either of the 2 preceding years; for a jai alai permitholder who does not operate slot machines in its pari-mutuel facility, who has conducted at least 100 live performances per year for at least 10 years after December 31, 1992, and whose handle on live jai alai games conducted at its pari-mutuel facility has been less than \$4 million per state fiscal year for at least 2 consecutive years after June 30, 1992, the conduct of a combination of at least 40 live evening or matinee performances during the preceding year; for a jai alai permitholder who operates slot machines in its pari-mutuel facility, the conduct of a combination of at least 150 performances during the preceding year; for a harness permitholder, the conduct of at least 100 live regular wagering performances during the preceding

year; for a quarter horse permitholder, *at its facility unless an alternative schedule of live regular wagering performances is agreed upon by permitholder and the horsemen’s association representing the majority of the quarter racehorse owners and trainers at the facility and filed with the division with its annual date application, in 2009-2010, the conduct of at least 20 live regular wagering performances, in 2010-2012, the conduct of at least 30 live regular wagering performances, and for every year after the 2011-2012 racing year, the conduct of at least 40 live regular wagering performances during the preceding year; for a quarter horse permitholder leasing another licensed racetrack, the conduct of 100 events at the leased facility; and for a thoroughbred permitholder, the conduct of at least 40 live regular wagering performances during the preceding year. For a permitholder which is restricted by statute to certain operating periods within the year when other members of its same class of permit are authorized to operate throughout the year, the specified number of live performances which constitute a full schedule of live racing or games shall be adjusted pro rata in accordance with the relationship between its authorized operating period and the full calendar year and the resulting specified number of live performances shall constitute the full schedule of live games for such permitholder and all other permitholders of the same class within 100 air miles of such permitholder. A live performance must consist of no fewer than eight races or games conducted live for each of a minimum of three performances each week at the permitholder’s licensed facility under a single admission charge.*

(Redesignate subsequent sections)

And the title is amended as follows:

Delete line(s) 2 and insert: An act relating to pari-mutuel wagering; amending s. 550.002, F.S.; providing for a full schedule of racing for quarter horse permitholders; amending s.

Amendment 2 (332228)(with title amendment)—Between line(s) 140 and 141 insert:

Section 3. Paragraphs (a) and (b) of subsection (5) of section 849.086, Florida Statutes, are amended to read:

849.086 Cardrooms authorized.—

(5) LICENSE REQUIRED; APPLICATION; FEES.—No person may operate a cardroom in this state unless such person holds a valid cardroom license issued pursuant to this section.

(a) Only those persons holding a valid cardroom license issued by the division may operate a cardroom. A cardroom license may only be issued to a licensed pari-mutuel permitholder and an authorized cardroom may only be operated at the same facility at which the permitholder is authorized under its valid pari-mutuel wagering permit to conduct pari-mutuel wagering activities. *An initial cardroom license shall only be issued to a pari-mutuel permitholder if the permitholder is licensed to conduct a full schedule of live races or games as defined in s. 550.002(11) during the state fiscal year in which the initial cardroom license is issued.*

(b) After the initial cardroom license is granted, the application for the annual license renewal shall be made in conjunction with the applicant’s annual application for its pari-mutuel license. If a permitholder has operated a cardroom during any of the 3 previous fiscal years and fails to include a renewal request for the operation of the cardroom in its annual application for license renewal, the permitholder may amend its annual application to include operation of the cardroom. In order for a cardroom license to be renewed the applicant must have requested, as part of its pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued, or the state fiscal year immediately prior thereto *if the permitholder ran at least a full schedule of live races or games in that prior year.* If the application is for a harness permitholder cardroom, the applicant must have requested authorization to conduct a minimum of 140 live performances during the state fiscal year immediately prior thereto. If more than one permitholder is operating at a facility, each permitholder must have applied for a license to conduct a full schedule of live racing.

(Redesignate subsequent sections)

And the title is amended as follows:

On line(s) 10 after “clause,” insert: amending s. 849.086, F.S.; providing for a full schedule of races for a new permitholder to be eligible to renew a cardroom license;

Senators Oelrich and Lynn offered the following amendment which was moved by Senator Oelrich and adopted:

Amendment 3 (701128)(with title amendments)—Between line(s) 140 and 141, insert:

Section 2. Subsection (5) is added to section 550.26165, Florida Statutes, to read:

550.26165 Breeders’ awards.—

(5) *The Legislature recognizes that this state is competing with other states to attract thoroughbred breeding and training operations. The awards programs created in this chapter are intended to encourage such operations to locate in this state and must be responsive to rapidly changing programs in other states. Therefore the Legislature finds that it is appropriate to provide greater flexibility to thoroughbred industry participants in this state so that they may design an awards program that is competitive nationally. To achieve that end notwithstanding any other provision of law:*

(a) *The Florida Thoroughbred Breeders’ Association may elect, as part of its annual plan, to pay breeders’ awards on horses finishing in first, second, or third place in thoroughbred horse races; to pay breeders’ awards that are greater than 20 percent and less than 15 percent of the announced gross purse; and to vary the rates for breeders’ awards based upon the place of finish, class of race, the state or country in which the race took place, and the state in which the stallion siring the horse was standing when the horse was conceived.*

(b) *The Florida Thoroughbred Breeders’ Association may elect, as part of its annual plan, to pay stallion awards on horses finishing in first, second, or third place in thoroughbred horse races; to pay stallion awards that are greater than 20 percent and less than 15 percent of the announced gross purse; to reduce or eliminate stallion awards in order to enhance breeders’ awards or awards under paragraph (c); and to vary the rates for stallion awards based upon the place of finish, class of race, and the state or country in which the race took place.*

(c) *From the funds dedicated in this chapter for use as breeders’ awards and stallion awards, the Florida Thoroughbred Breeders’ Association may elect, as part of its annual plan, to pay awards to owners of registered Florida-bred horses finishing in first, second, or third place in thoroughbred horse races in this state without regard to awards that may be paid pursuant to s. 550.2625(6).*

(d) *A breeders’ award or stallion award under this chapter may not be paid on thoroughbred horse races taking place in other states or countries unless agreed to in writing by all thoroughbred permitholders in this state, the Florida Thoroughbred Breeders’ Association, and the Florida Horsemen’s Benevolent and Protective Association.*

Section 3. Paragraph (e) is added to subsection (6) of section 550.2625, Florida Statutes, to read:

550.2625 Horseracing; minimum purse requirement, Florida breeders’ and owners’ awards.—

(6)

(e) *The provisions of this subsection govern owners’ awards paid on thoroughbred horse races in this state in the absence of a written agreement on file with the division establishing the rate, procedure, and eligibility requirements for owners’ awards, including place of finish, class of race, maximum purse, and maximum award entered into by the permitholder, the Florida Thoroughbred Breeders’ Association, and the association representing a majority of the racehorse owners and trainers at the permitholder’s location.*

Section 4. Paragraph (a) of subsection (5) of section 550.5251, Florida Statutes, is amended to read:

550.5251 Florida thoroughbred racing; certain permits; operating days.—

(5)(a) Each licensed thoroughbred permitholder in this state must run an average of one race per racing day in which horses bred in this state and duly registered with the Florida Thoroughbred Breeders’ Association have preference as entries over non-Florida-bred horses *unless otherwise agreed to in writing by the permitholder, the Florida Thoroughbred Breeders’ Association, and the association representing a majority of the thoroughbred racehorse owners and trainers at that location.* All licensed thoroughbred racetracks shall write the conditions for such races ~~in which Florida-bred horses are preferred~~ so as to assure that all Florida-bred horses available for racing at such tracks are given full opportunity to run in the class of races for which they are qualified. The opportunity of running must be afforded to each class of horses in the proportion that the number of horses in this class bears to the total number of Florida-bred horses available. A track is not required to write conditions for a race to accommodate a class of horses for which a race would otherwise not be run at the track during its meeting.

And the title is amended as follows:

Delete line(s) 2-10 and insert: An act relating to pari-mutuel wagering; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; amending s. 550.26165, F.S.; authorizing the payment of certain breeders’ and stallion awards under certain circumstances; amending s. 550.2625, F.S.; providing that the provisions of statute governing certain owners’ awards shall govern in the absence of a written agreement; amending s. 550.5251, F.S.; providing an exception to the requirement that each thoroughbred permitholder run an average of one race per racing day against horses bred in this state that have preference over nonstate horses;

Pursuant to Rule 4.19, **CS for SB 604** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for SB 1008—A bill to be entitled An act relating to the failure to redeliver hired vehicles; amending s. 817.52, F.S.; providing that information not otherwise required by law is not required in order to report a hired vehicle as stolen; requiring a law enforcement agency to report a hired vehicle as stolen to certain specified reporting systems; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1008** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver’s license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement’s sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency’s website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a time-

line and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—which was previously considered this day.

Senator Storms moved the following amendments which were adopted:

Amendment 1 (225862)—Delete lines 293-295 and insert: *disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. An employee of a nursing facility, employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment.*

Amendment 2 (614572)—Delete lines 818-821 and insert: *person screened. A person employed before October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. A person employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment. Employees ~~Such persons~~ shall*

Amendment 3 (241058)—Delete line(s) 1408-1418 and insert:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer ~~For employees and employers~~ licensed or registered pursuant to chapter 393, chapter 400, part II of chapter 408, or chapter 429, or an employee or employer at a ~~and for employees and employers of developmental disabilities institutions as defined in s. 393.063, intermediate care facilities for the developmentally disabled as defined in s. 400.960, and mental health treatment facility facilities as defined in s. 394.455, meets the requirements of this chapter.~~*

Amendment 4 (289964)—Delete line(s) 1540-1550 and insert:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer ~~For employees and employers~~ licensed or registered pursuant to chapter 393, chapter 400, part II of chapter 408, or chapter 429, or an employee or employer at a mental health treatment facility as defined in s. 394.455 ~~does not have a confirmed report of abuse, neglect, or exploitation as defined in s. 415.102(6), which has been uncontested or upheld under s. 415.103.~~*

RECONSIDERATION OF AMENDMENT

On motion by Senator King, the Senate reconsidered the vote by which **Amendment 4 (289964)** was adopted.

On motion by Senator Storms, further consideration of **CS for CS for CS for SB 2216** with pending **Amendment 4 (289964)** was deferred.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Constantine, by two-thirds vote **CS for SB 1630** was withdrawn from the Committee on Rules.

On motion by Senator Saunders, by two-thirds vote **CS for SB 1696** was withdrawn from the Committee on Higher Education.

On motion by Senator King, by two-thirds vote **CS for SB 2084** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Judiciary; and referred to the Committees on Community Affairs; Banking and Insurance; and Judiciary.

On motion by Senator Jones, by two-thirds vote **SB 2646** was withdrawn from the committees of reference and further consideration.

On motion by Senator Rich, by two-thirds vote **SB 2370** was withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 2, 2008: CS for CS for SB 1276, SB 2516, SM 2662, SB 1092, CS for CS for CS for SB 2216

Respectfully submitted,
Burt L. Saunders, Chair

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for

Wednesday, April 2, 2008: CS for CS for SB 2082, CS for CS for SB 2012, CS for SB 648, CS for SB 604, CS for SB 1008

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Commerce recommends the following pass: SB 2076 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1308 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Education Pre-K - 12 recommends the following pass: SB 848; SB 2564

The bills were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 692 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2296

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Transportation recommends the following pass: SB 504 with 1 amendment

The bill was referred to the Committee on Communications and Public Utilities under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2078; SB 2230

The Committee on Governmental Operations recommends the following pass: SB 2318

The Committee on Health Regulation recommends the following pass: SB 1694 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Criminal Justice recommends the following pass: CS for SB 502

The bill was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 798

The Committee on Health Policy recommends the following pass: SB 1456

The Committee on Health Regulation recommends the following pass: CS for SB 752 with 1 amendment

The Committee on Transportation recommends the following pass: SB 668 with 1 amendment; SB 2604 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2192

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Health Regulation recommends the following pass: SB 570; SB 2280 with 1 amendment; SB 2456 with 1 amendment

The bills were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Agriculture recommends the following pass: SB 2320

The Committee on Commerce recommends the following pass: CS for SB 346; SB 2666

The Committee on Community Affairs recommends the following pass: SB 1548

The Committee on Judiciary recommends the following pass: CS for SB 1116

The bills contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: CS for SB 2058

The Committee on Governmental Operations recommends the following pass: CS for SB 586

The Committee on Health Policy recommends the following pass: CS for SB 1012

The Committee on Higher Education recommends the following pass: CS for SB 1206

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Commerce recommends the following pass: SB 2574

The Committee on Community Affairs recommends the following pass: CS for SB 706

The Committee on Criminal Justice recommends the following pass: SB 800

The Committee on Health Regulation recommends the following pass: SB 2610 with 1 amendment; SB 2630 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2512

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2390 with 1 amendment

The Committee on Governmental Operations recommends the following pass: CS for SB 1370

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 448

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2428

The bills contained in the foregoing reports were referred to the Committee on Health Policy under the original reference.

The Committee on Health Policy recommends the following pass: SB 1508

The bill was referred to the Committee on Health Regulation under the original reference.

The Committee on Commerce recommends the following pass: SB 2526

The Committee on Education Pre-K - 12 recommends the following pass: SB 2700 with 1 amendment

The Committee on Health Regulation recommends the following pass: SB 2366

The Committee on Transportation recommends the following pass: SB 1706

The bills contained in the foregoing reports were referred to the Committee on Higher Education under the original reference.

The Committee on Agriculture recommends the following pass: SB 444

The Committee on Ethics and Elections recommends the following pass: SB 2340

The Committee on Health Policy recommends the following pass: CS for SB 1704

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Judiciary recommends the following pass: SCR 362

The bill was referred to the Committee on Rules under the original reference.

The Committee on Commerce recommends the following pass: CS for SB 2206

The bill was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SM 2452

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2516; SM 2662

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 1988; SB 2820

The Committee on Education Pre-K - 12 recommends the following pass: SB 40; SB 54

The Committee on Health Regulation recommends the following pass: SB 38; SB 60; SB 728

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 1378 with 1 amendment

The Committee on Regulated Industries recommends the following pass: CS for SB 464

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Children, Families, and Elder Affairs recommends the following not pass: SB 2228

The bill was laid on the table.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 652

The Committee on Health Regulation recommends a committee substitute for the following: SB 1488

The Committee on Judiciary recommends a committee substitute for the following: SB 2164

The Committee on Regulated Industries recommends committee substitutes for the following: SB 2584; SB 2586

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1732

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1422

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 1670

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2172

The Committee on Higher Education recommends a committee substitute for the following: SB 346

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 2352

The Committee on Criminal Justice recommends a committee substitute for the following: SB 522

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1208; SB 1242; SB 2394

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2080

The Committee on Judiciary recommends a committee substitute for the following: SB 2484

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2084

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2248

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2026

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1950; SB 2552

The Committee on Commerce recommends a committee substitute for the following: SB 672

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2044

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2462

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 926; SB 2458

The Committee on Community Affairs recommends a committee substitute for the following: SB 1490

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 392; CS for SB 920; SB 2310

The Committee on Higher Education recommends a committee substitute for the following: SB 2324

The Committee on Judiciary recommends a committee substitute for the following: SB 1636

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1006

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 2222

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 2174; Senate Bills 2860 and 1196

The Committee on Communications and Public Utilities recommends a committee substitute for the following: CS for SB 1544

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 708

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 1962; CS for SB 2158

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 108; SB 498; SB 2848

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 996

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2378

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2528

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2152

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1296

The Committee on Health Policy recommends a committee substitute for the following: SB 2652

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Health Regulation recommends committee substitutes for the following: SB 2598; SB 2760

The Committee on Judiciary recommends a committee substitute for the following: SB 688

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1954

The bill with committee substitute attached was referred to the Committee on Health Regulation under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1150; SB 1582; CS for SB 1614

The Committee on Criminal Justice recommends committee substitutes for the following: SB 390; SB 1086; SB 1430

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2692

The Committee on Health Regulation recommends committee substitutes for the following: Senate Bills 1540 and 2782; Senate Bills 1550 and 2724

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 2286

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2546

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: Senate Bills 1094 and 326

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2224

The bill with committee substitute attached was referred to the Committee on Rules under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 964

The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 482

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2660

The Committee on Judiciary recommends a committee substitute for the following: SB 704

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SM 2488

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1096

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB 2082

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for CS for SB 2216

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 2012

The Committee on Judiciary recommends committee substitutes for the following: SB 12; SB 34; SB 648; SB 1130

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Criminal Conflict and Civil Regional Counsel - First District Court of Appeal Appointee: Lewis, Jeffrey E.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal Appointee: Flyte, Jackson S.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal Appointee: George, Joseph P., Jr.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal	

Office and Appointment

Appointee: Massa, Philip J.

For Term Ending

07/01/2011

Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal

Appointee: Deen, Jeffrey D.

07/01/2011

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senators Aronberg, Lawson, Storms and Joyner—

CS for SB 12—A bill to be entitled An act for the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified tuition and fees; providing conditions for payment; providing legislative intent; providing an effective date.

By the Committee on Judiciary; and Senator Lawson—

CS for SB 34—A bill to be entitled An act for the relief of Laura Laporte; providing an appropriation to compensate Laura Laporte for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing for a limitation on payment of fees and costs; directing the Chief Financial Officer to draw a warrant and make payment; providing an effective date.

By the Committees on Governmental Operations; Military Affairs and Domestic Security; and Senators Fasano, Bennett, Baker and Dockery—

CS for CS for SB 108—A bill to be entitled An act relating to service-disabled veteran business enterprises; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference regarding state contracts in favor of certified service-disabled veteran business enterprises; requiring that a certification procedure be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; providing requirements for application for, renewal of, and revocation of certification; providing administrative review requirements and procedures; specifying duties of the Department of Management Services and the Department of Veterans' Affairs; requiring that the Small Business Development Center include certain data in its required report; authorizing the Department of Management Services and the Department of Veterans' Affairs to adopt rules; amending s. 288.705, F.S.; requiring the center to report certain information to the Agency for Workforce Innovation; providing an effective date.

By the Committee on Higher Education; and Senator Ring—

CS for SB 346—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; creating the Sure Futures Postgraduate Scholarship Program; providing purposes and goals for the program; creating s. 1009.894, F.S.; providing legislative findings; providing definitions; establishing the Sure Futures Foundation and a foundation board to administer the program; providing for membership of the board; providing duties of the board; providing eligibility criteria for participation in the program by students and sponsors; providing procedures for application to the program; providing procedures for the selection of participants; providing benefits provided to students selected to participate in the program; providing requirements for such students; requiring that a participating student who graduates with an advanced degree remain employed by his or her sponsor in this state for a specified period; providing that a prorated portion of the scholarship

shall convert to a low-interest loan under certain conditions; requiring that sponsors and students participating in the program enter into a contract; requiring that such contract contain certain terms; requiring that a sponsor make a specified monetary contribution for scholarships; requiring that a sponsor make a specified additional contribution per year to cover administrative costs of the program; authorizing sponsors to establish terms of sponsorship and specify specific universities at which a student must enroll to receive sponsorship; relieving an employee for his or her obligations under a contract of sponsorship under certain conditions; requiring that the Office of Student Financial Assistance of the Department of Education establish a database containing certain information; requiring that the foundation establish a standard application form; requiring that the Department of Education annually establish the amount necessary to cover certain costs; requiring that state universities make available certain information regarding the program; requiring that certain entities promote participation in the program; requiring that the Department of Education adopt rules; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice; and Senators Oelrich and Gaetz—

CS for SB 390—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “cultivating” for specified purposes; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place having knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing that a person who has actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing criminal penalties; amending s. 893.10, F.S.; providing that equipment used in the manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; amending s. 921.0022, F.S.; ranking specified offenses in the offense severity ranking chart of the Criminal Punishment Code; amending ss. 465.016, 465.023, and 893.135, F.S.; conforming cross-references; providing an effective date.

By the Committees on Governmental Operations; Community Affairs; and Senators Storms and Ring—

CS for CS for SB 392—A bill to be entitled An act relating to transparency in government contracts; creating s. 218.315, F.S.; defining the terms “contract,” “corporation,” “county officer,” “local government,” and “individual,” for purposes of the act; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments with a website to electronically post contract information relating to certain contracts; providing an exemption for contracts protected under ch. 119, F.S., or by general law; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms “contract,” “corporation,” “expenditure” and “individual” for purposes of state government contract reporting; directing the Executive Office of the Governor to develop and maintain a portal linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to

contracts between the agency and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing an effective date.

By the Committee on Community Affairs; and Senators Garcia and Bullard—

CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 420.503, F.S.; defining the term “moderate rehabilitation” for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.9071, F.S.; defining the terms “assisted housing,” “assisted housing development,” and “preservation”; revising the definition of “eligible housing,” “local housing incentive strategies,” and “recaptured funds” for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define “high-cost counties” by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committee on Governmental Operations; and Senator Bennett—

CS for SB 498—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector

General; requiring the Chief Inspector General to fulfill certain duties and responsibilities; providing an effective date.

By the Committee on Criminal Justice; and Senator Hill—

CS for SB 522—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing an exception to the prohibition on the use of such equipment for specified personnel using personal transportation to and from work and for certain government employees; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

By the Committee on Governmental Operations; and Senator Lynn—

CS for SB 652—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an effective date.

By the Committee on Commerce; and Senator Crist—

CS for SB 672—A bill to be entitled An act relating to wrecker services; creating ch. 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership, terms, and organization; providing procedures for meetings and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on matters relating to standards and practices in the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for the processing of fingerprints by the Department of Agriculture and Consumer Services; requiring fees for processing; providing for issuance of a registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring payment of certain fees; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; requiring the department to establish a certification program for wrecker operators; providing for the council to approve certification courses and the

organizations conducting the courses; providing for the council to prescribe course curricula; providing requirements for courses; requiring that each course include an examination approved by the council; providing criteria for the examination; requiring that the organization conducting the course issue the certificate to the wrecker operator; creating s. 508.108, F.S.; requiring each certification course to offer optional specialized wrecker services instruction, training, and examinations; describing specialized wrecker services; directing the department to adopt rules prescribing specific standards to further define each specialized wrecker service; requiring council approval of the instruction, training, and examination; requiring the organization conducting the course to issue the certificate to the wrecker operator; creating s. 508.109, F.S.; providing for form and content of certification cards; authorizing the department to adopt rules for issuance of certification cards to an operator who completes a certification course and passes a certification examination in another state or completed a certification course and passed a certification examination in this state during a certain time period; authorizing the department to adopt rules for issuance of endorsements for specialized services to a wrecker operator who completed instruction and training for a specialized wrecker service and passed an endorsement examination for that specialized wrecker service during a certain time period; providing for approval by the council of out-of-state certification instructions, training, and examinations; providing for expiration of certification; requiring that certification cards be issued by the organizations conducting the courses; creating s. 508.111, F.S.; providing requirements for recertification; providing for a continuing education program to be established by the department; providing for curricula and examinations to be prescribed by the council; requiring course approval by the council; providing for a certificate to be issued by the training organization to the wrecker operator; creating s. 508.112, F.S.; prohibiting certain acts; creating ss. 508.113 and 508.114, F.S.; providing administrative and civil penalties; creating s. 508.116, F.S.; providing for registration and renewal fees; requiring the department to maintain data relating to the fees; creating s. 508.117, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.118, F.S.; providing that the chapter does not apply to recovery agents; creating s. 508.119, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified wrecker services provisions; creating s. 508.120, F.S.; requiring that a wrecker company maintain records of its services and operators; requiring organizations that conduct operator certification or continuing education courses to maintain records on each person who successfully completes one of the courses; authorizing inspection of records by the department; creating s. 508.104, F.S.; prohibiting persons from owning, operating, or being issued a local business tax receipt on behalf of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops; creating s. 508.110, F.S.; prohibiting the performance of wrecker services after a certain date unless the operator is in the employ of a company that is registered; requiring wrecker operators to be certified; providing exceptions for certain shops and organizations; authorizing the department to inspect company records; creating s. 508.115, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker-allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term “wrecker” for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring that the license plate be displayed only on the front of a wrecker; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring that the license plate be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology; reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to “wrecker-allocation system”; providing definitions; revising provisions

that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising eligibility requirements for wreckers; revising provisions for procedures for appeal of final orders by the department denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate-limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to "wrecker-allocation systems"; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney's fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good-faith best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner's name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S.; revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from

paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing an effective date.

By the Committee on Judiciary; and Senators Crist, Gaetz and Lynn—

CS for SB 688—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; authorizing a court in dependency proceedings to appoint a guardian advocate for a child; providing that the person being considered for or appointed as guardian advocate need not be represented by an attorney unless required by the court; revising the requirements for the petition seeking the appointment of a guardian advocate; providing for consideration of any advance directive or a designation of a durable power of attorney in guardian advocacy proceedings; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, a health care surrogate, and an attorney in fact, and, if a dependent child, the Department of Children and Family Services and the child's guardian ad litem or attorney; modifying who may be appointed counsel to a person with developmental disabilities and providing a timeframe for appointment of counsel, including the office of criminal conflict and civil regional counsel; requiring the court's order to name the guardian advocate and the reasons why the advocate was selected; revising the powers and duties of the guardian advocate with respect to financial accounting requirements; providing for the restoration of the rights of a person for whom a guardian advocate has been appointed; providing for the petition, evidentiary support, notice, objections to the petition; providing for the partial restoration of rights and the amendment of the letters of guardianship advocacy; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Judiciary; and Senators Bennett and Gaetz—

CS for SB 704—A bill to be entitled An act relating to administrative procedures; providing a short title; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority" to remove a limitation on the construction of statutory language granting rulemaking authority; defining the terms "law implemented," "rulemaking authority," and "unadopted rule"; amending s. 120.53, F.S.; authorizing agencies to transmit agency orders electronically to the Division of Administrative Hearings; amending s. 120.536, F.S.; revising guidelines for the construction of statutory language granting rulemaking authority; amending s. 120.54, F.S.; prescribing limits and guidelines with respect to the incorporation of material by reference; prescribing requirements for material being incorporated by reference; prohibiting an agency head from delegating or transferring certain specified rulemaking responsibilities; revising the information required in notices of proposed actions; providing additional procedures for rule-adoption hearings; revising requirements for filing rules; requiring that material incorporated by reference be published by the agency when adopting emergency rules; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties and procedures of the Administrative Procedures Committee and agencies with respect to review of agency rules; deleting procedures for agency election to modify, withdraw, amend, or repeal a proposed rule; providing for the effect of the failure of an agency to respond to a committee objection to a statement of estimated regulatory costs within the time prescribed; deleting a requirement that the Department of State publish final legislative action; amending s. 120.55, F.S.; requiring the department to prescribe by rule the content requirements for rules, notices, and other materials; revising for a specified period the limit for the unencumbered balance in the Records Management Trust Fund at the beginning of the fiscal year for fees collected under ch. 120, F.S.; providing for the transfer of excess

funds; requiring electronic publication of the Florida Administrative Code; prescribing requirements with respect to the content of such electronic publication; providing for filing information incorporated by reference in electronic form; providing requirements for the Florida Administrative Weekly Internet website; amending s. 120.56, F.S., relating to challenges to rules; conforming a cross-reference; revising procedures for administrative determinations of the invalidity of rules; requiring an agency to discontinue reliance on a statement under certain circumstances; providing an exception; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; revising procedures applicable to hearings involving disputed issues of material fact; prohibiting enforcement of unadopted agency rules under certain circumstances; amending s. 120.595, F.S.; increasing the limitation on attorney's fees in challenges to proposed agency rules or existing agency rules; providing for an award of reasonable costs and attorney's fees accrued by a petitioner under certain circumstances; providing for an award of fees and costs if the agency prevails and a party participated for an improper purpose; amending s. 120.569, F.S.; requiring that certain administrative proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises during the proceeding; conforming a cross-reference; amending s. 120.74, F.S.; revising reporting requirement for agency heads; amending ss. 120.80, 120.81, 409.175, 420.9072, and 420.9075, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committee on Environmental Preservation and Conservation; and Senators Saunders, Lynn and Bullard—

CS for SB 708—A bill to be entitled An act relating to water management; providing legislative intent; directing the Secretary of Environmental Protection to coordinate with the water management districts to conduct a study of certain desalination technologies; providing study requirements; requiring the secretary to report to the Governor and the Legislature by a specified date; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; providing an effective date.

By the Committees on Governmental Operations; Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring and Margolis—

CS for CS for SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director of the Division of the Florida Highway Patrol to structure a salary scale for highway patrol officers to remain competitive with other law enforcement agencies; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the license reinstating fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Commerce; and Senator Ring—

CS for SB 926—A bill to be entitled An act relating to education funding; amending s. 212.0306, F.S.; authorizing any county to impose a tax on the sale of food, beverages, or alcoholic beverages in hotels and motels pursuant to an ordinance adopted by a majority vote of the governing body; continuing the authority of counties operating under a home rule charter to impose such tax in establishments licensed by the state to sell alcoholic beverages for consumption on the premises; requiring that the proceeds from the food and beverage tax imposed by a county other than a county operating under a home rule charter be allocated to the local school district for the purpose of funding K-12 education services; providing duties of the county with respect to collecting and administering the tax; providing an effective date.

By the Committee on Agriculture; and Senator Aronberg—

CS for SB 964—A bill to be entitled An act relating to equine activities; providing a short title; providing legislative intent; creating s. 773.11, F.S.; defining the term "equine"; requiring certain minors to wear helmets when riding equines in certain locations; providing requirements for helmets; requiring persons renting or leasing equines for riding by a minor under a specified age to provide a helmet if the minor does not have a helmet; prohibiting a parent or guardian of a minor under a specified age from authorizing or permitting a minor to engage in certain conduct; providing a penalty; providing exceptions; providing an effective date.

By the Committees on Higher Education; Regulated Industries; and Senator Wise—

CS for CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a credo in the provision of cosmetology, nail technician, or manicure or pedicure specialty services; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing effective dates.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 1006—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing definitions; authorizing cardroom operators to host charity/celebrity poker tournaments and televised high-stakes poker tournaments at certain pari-mutuel facilities; providing limitations; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to adopt rules governing the operation of tournaments; providing an effective date.

By the Committee on Criminal Justice; and Senators Bennett and Atwater—

CS for SB 1086—A bill to be entitled An act relating to illegal or undocumented aliens; requiring the Department of Corrections and the Parole Commission to establish agreements to implement a federal deportation program for state inmates; specifying the goals of the program; creating s. 947.1461, F.S., relating to the control release for removal and deportation; requiring the department to identify eligible inmates at the reception process; specifying eligibility criteria; requiring the department to coordinate with federal authorities to determine immigration status and eligibility for removal; specifying that eligible inmates waive administrative and appellate rights; requiring the Control Release Authority to establish control release dates; authorizing the control release dates to be set after the alien has served a minimum 50 percent of his or her court imposed sentence; requiring the Control Release Authority to give notice to aliens concerning reentering the United States; prohibiting aliens from benefiting from control release awards when removal is not reasonably foreseeable; requiring the department to compile and report certain statistics; amending s. 947.146, F.S., relating to the Control Release Authority; requiring the authority to implement a program to execute an immediate deportation order; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Haridopolos, Constantine, Gaetz, Justice, Baker, Jones, Lynn, Posey and Dockery—

CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

By the Committee on Finance and Tax; and Senators Margolis, Lynn, Haridopolos and Bennett—

CS for SB 1096—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be 21 years of age; requiring proof of age and the signature of a recipient;

providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

By the Committee on Judiciary; and Senators Peaden and Baker—

CS for SB 1130—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing legislative findings and intent; prohibiting a public or private entity from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private entity from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private entity against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private entity may be conducted; prohibiting an employer from conditioning employment upon an agreement by a prospective employee that prohibits employees from keeping a legal firearm locked inside a motor vehicle; prohibiting an employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business when the customer's, employee's, or invitee's motor vehicle contains a legal firearm; prohibiting employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; delineating duties not owed by public and private entities and employers with respect to the provisions of the act; providing specified immunity from liability for public and private entities and employers; providing nonapplicability of such immunity; providing for enforcement of the act; providing for the award of costs and attorney's fees; providing definitions; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department; amending s. 916.111, F.S.; requiring that a forensic

evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defendants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the department with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Gaetz—

CS for SB 1208—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Jones and Bennett—

CS for SB 1242—A bill to be entitled An act relating to environmental permitting; requiring the Department of Environmental Protection to

conduct a study and implement a plan to provide parity in salaries for permitting staff and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; requiring the department to develop a plan to implement the remaining phases of an e-permitting program and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; prohibiting local governments from requiring the production of certain written documentation from the Department of Environmental Protection or a water management district showing that a project does not require a particular permit; amending s. 403.061, F.S.; revising the department's powers and duties to include maintaining a list of projects or activities that applicants may consider when developing proposals for certain projects or activities; amending s. 403.813, F.S.; prohibiting a local government from requiring further verification from the department for certain projects that are exempt from permit requirements other than a general permit; revising a provision relating to the replacement or repair of existing docks and piers; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1296—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for applicants who meet certain conditions to be certified as a licensed water well contractor; amending s. 373.536, F.S.; authorizing certain chairs of committees of the Senate and the House of Representatives to submit comments and objections to proposed budgets; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards of the water management districts, as provided in s. 120.54, F.S.; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; requiring that the task force submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before a specified date; requiring that the report contain certain information; requiring that the department and each water management district cooperate with the task force; requesting that all other agencies cooperate with the task force; providing for dissolution of the task force; providing an effective date.

By the Committee on Banking and Insurance; and Senator Bennett—

CS for SB 1422—A bill to be entitled An act relating to commercial property insurance; amending s. 627.041, F.S.; defining the terms "assessable commercial property insurance" and "nonassessable commercial property insurance"; amending s. 627.062, F.S.; providing rate standards regarding nonassessable commercial property insurance; providing that nonassessable commercial property insurance is not subject to a determination that the rate is excessive or unfairly discriminatory; providing an exception; amending s. 627.351, F.S.; excluding nonassessable commercial property insurance from the definition of "subject lines of business"; providing that insurers issuing nonassessable commercial property insurance policies are not assessable for the portion of the assessment from which the nonassessable commercial property insurance policy is exempt; creating s. 627.7031, F.S.; authorizing insurers offering assessable commercial property insurance policies to offer nonassessable commercial property insurance policies; authorizing an owner of a commercial property to purchase a nonassessable commercial property insurance policy if such a policy is offered by the insurer; requiring that an application for a nonassessable commercial property policy contain a specified disclaimer; requiring that the declarations page of a nonassessable commercial property policy contain a specified disclaimer; providing an effective date.

By the Committee on Criminal Justice; and Senator Aronberg—

CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; prohibiting sexual predators from working within a specified distance of certain facilities; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions on certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; amending s. 947.141, F.S.; revising provisions relating to hearings alleging a violation of conditional release by specified releasees for failure to comply with specified residency distance limitations; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.063, F.S.; providing that failure of a sexual predator or sexual offender to obtain a residence in compliance with certain requirements is not a defense in certain proceedings; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses with minors under the age of 16; requiring the Department of Law Enforcement and other specified agencies to consider eliminating or modifying two dates on or after which a person must be classified as a sexual offender or a sexual predator; directing the department to determine the effect that the elimination or modification of these dates will have on the department and other agencies; directing the department to present a report of its findings to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

By the Committee on Health Regulation; and Senator Dean—

CS for SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; revising requirements for health care providers and facilities in notifying insured persons of charges for health care services; requiring an itemized, comprehensible estimate of charges; requiring the estimate to be based on a certain price; requiring uninsured patients to automatically receive an estimate of charges; requiring a licensed facility not operated by the state to make available to the public on its Internet website a description of and a link to the performance outcome and financial data that is published by the Agency for Health Care Administration and to the charity care discount policy of the facility; deleting the provision that authorizes a licensed facility to indicate that pricing information is based on a compilation of charges for the average patient; amending s. 395.301, F.S.; revising requirements for billing and written estimates provided to patients by health care facilities; providing that an estimate does not preclude additional charges if the charges are itemized; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the Agency for Health Care Administration; requiring the agency to publish on its website information concerning prices for the most commonly performed adult and pediatric procedures; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1490—A bill to be entitled An act relating to affordable housing; creating s. 193.018, F.S.; defining the term “community land trust”; providing for the assessment of structural improvements, condominium parcels, or cooperative parcels on land owned by a community land trust and used to provide affordable housing; providing for the conveyance of structural improvements, condominium parcels, or cooperative parcels subject to certain conditions; specifying the criteria to be used in arriving at just valuation of a structural improvement, condominium parcel, or cooperative parcel; specifying the criteria to be used in arriving at just valuation of land owned by a community land trust that is subject to limited uses; amending s. 196.1978, F.S.; providing that

property owned by certain nonprofit entities or Florida-based limited partnerships and used or held for the purpose of providing affordable housing to certain income-qualified persons is exempt from ad valorem taxation; revising legislative intent; providing that such ad valorem tax exemption extends to land owned by an exempt entity and subject to a 99-year ground lease for the purpose of providing affordable housing; providing that such ad valorem tax exemption extends to undeveloped property owned by an exempt entity that has taken affirmative steps to prepare the property for future use as affordable housing; defining the term “affirmative steps”; providing for the rejection or rescission of the ad valorem tax exemption under certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senators Saunders and Atwater—

CS for SB's 1540 and 2782—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to any agency that has access to or operates the privacy-protected website containing patients' medication histories; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 196.012, F.S.; deleting the definition of the term “renewable energy source device” or “device”; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; providing that the sale or use of wind energy or wind turbines is exempt from sales or use taxes as equipment, machinery, and other materials used for renewable energy technologies; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s.

220.192, F.S.; defining terms relating to a tax credit; providing that 75 percent of all capital, operation, and maintenance costs, and research and development costs incurred between specified dates, up to a specified limit, may be credited against taxes owed in connection with an investment in the production of wind energy; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms “sale” or “sold” and “taxpayer”; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the “Florida Energy Conservation and Sustainable Buildings Act”; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the “Green Lodging” designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation’s ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel use and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term “alternative and renewable energy”; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive

award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term “base-load generating facilities”; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; requiring the commission to establish a renewable energy portfolio standard for utilities; requiring certain utilities to submit an annual report identifying the percentage of their electrical power generated or purchased from renewable resources; authorizing the commission to adopt rules; amending s. 366.8255, F.S.; redefining the term “environmental compliance costs” to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility’s greenhouse gas emissions; amending s. 366.93, F.S.; revising the definitions of “cost” and “preconstruction”; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for appointment and qualifications of members; providing for meetings, duties, and authority of the commission; amending s. 377.602, F.S.; providing a definition; amending s. 377.605, F.S.; transferring duties on energy data collection from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending ss. 377.604, 377.605, and 377.606, F.S.; making conforming changes; amending s. 377.703, F.S.; providing for additional duties of the Florida Energy and Climate Commission; conforming cross-references; amending s. 377.803, F.S.; providing definitions; providing the statutory reference to the definition of the term “biomass”; amending s. 377.804, F.S.; providing for administration of the Renewable Energy and Energy-Efficient Technologies Grant Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; repealing s. 377.804(6), F.S., relating to bioenergy projects; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission within the Executive Office of the Governor to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting a certain number of grant applications made by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry;

authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term “alternate corridor” and redefining the term “corridor” for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a “development”; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the “Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act”; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term “investment grade energy audit”; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements;

providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

By the Committee on Health Regulation; and Senators Saunders and Atwater—

CS for SB’s 1550 and 2724—A bill to be entitled An act relating to prescription drug history; creating s. 893.055, F.S.; providing definitions; requiring the Agency for Health Care Administration to contract with a vendor to design and operate a website that gives health care practitioners, pharmacies, and pharmacists access to patient medication history through a privacy-protected website; requiring the contracted vendor to subcontract with organizations that currently operate electronic prescribing networks; requiring the contracted vendor to comply with state and federal privacy laws; requiring the vendor to create a verification system to check the validity of licenses for each health care practitioner, pharmacist, and pharmacy accessing the website; authorizing a pharmacist or pharmacist to use the website to obtain only the medication history of patients in dispensing certain drugs; prohibiting the pharmacist or pharmacy from accessing pharmacy-identifying information through the website; prohibiting recovery of damages against a health care practitioner, pharmacist, or pharmacy for accessing or failing to access information from the website; providing for disciplinary action; providing that a contractor is liable in tort for the improper

release of a patient's confidential information from the website; providing that sovereign immunity may not be raised by the contractor or the insurer of that contractor as a defense in tort regarding the application of confidential information from the website or for breach of contract; providing a contingent effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Joyner—

CS for SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem under certain circumstances; requiring that such person undergo a security background investigation; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal Justice—

CS for CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 120.57, F.S.; authorizing administrative law judges to appoint private pro bono attorneys in the continued placement hearings of inmates; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term “academy training period”; amending s. 944.1905, F.S.; authorizing the department to assign an offender sentenced to death to a facility for youthful offenders until the offender reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term “crisis stabilization care”; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health

treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 1636—A bill to be entitled An act relating to the collection of court-related fees, service charges, costs, and fines by circuit courts and county courts; amending s. 938.30, F.S.; requiring all persons other than state inmates who owe court-related fees, service charges, costs, and fines to appear before the court; amending s. 938.301, F.S.; requiring each circuit court to implement the Comprehensive Court Enforcement Program; amending s. 939.185, F.S.; requiring the clerk of courts to record in the official record a certified copy of any court order imposing additional court costs; providing that the court order constitutes a lien against the person upon whom the costs are imposed and attaches as a lien on any real and personal property owned by the person; providing an exception; requiring the Legislature to establish a joint select committee to review methods of collecting court-related fees, service charges, costs, and fines used by circuit courts and county courts; providing for appointment of committee members; providing for designation of a chair and vice chair; requiring the committee to submit recommendations for a uniform statewide method for collecting such court-related fees, service charges, costs, and fines; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and

early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; amending s. 1002.69, F.S.; requiring the ability to communicate in English to be included in the statewide kindergarten readiness screening criteria; providing an effective date.

By the Committee on Criminal Justice; and Senator Joyner—

CS for SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to be reimbursed for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Rich—

CS for SB 1950—A bill to be entitled An act relating to forensic services for persons who are retarded or autistic; amending s. 916.106, F.S.; revising definitions; redefining the terms “autism” and “retardation”; amending s. 916.301, F.S.; revising requirements regarding the appointment of experts if a defendant’s suspected mental condition is retardation or autism; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Rich—

CS for SB 1954—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions; revising the term “developmental disabilities institution” to be known as a “developmental disabilities center”; redefining the term “retardation”; amending s. 393.0655, F.S.; requiring certain persons to undergo background screening if they have been unemployed for more than 90 days; amending s. 393.0673, F.S.; providing additional grounds for denying, suspending, or revoking a license or imposing a fine against a provider serving clients of the Agency for Persons with Disabilities; amending s. 393.506, F.S.; expanding the types of medications that an unlicensed direct service provider may administer; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 435.03, F.S.; conforming provisions to changes made by the act; repealing s. 393.0657, F.S., relating to background screening; providing an effective date.

By the Committees on Finance and Tax; Health Regulation; and Senator Rich—

CS for CS for SB 1962—A bill to be entitled An act relating to the tax exemption for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its non-

profit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; providing an effective date.

By the Committees on Health Policy; Banking and Insurance; and Senators Deutch and Crist—

CS for CS for SB 1212—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senators Ring and Crist—

CS for CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; requiring registrants to attest to the truthfulness of the information submitted during registration; providing criminal penalties for submission of false information during registration; amending s. 943.043; requiring the Department of Law Enforcement to notify the public of sexual predator and sexual offender information through the Internet; specifying what sexual predator and sexual offender information and features must be available on the Internet; requiring the Department of Law Enforcement to develop a uniform system to verify predator and offender address information when address submitted cannot be plotted on a map; requiring the Department of Law Enforcement to determine the feasibility of certain Internet features; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing an effective date.

By the Committee on Regulated Industries; and Senator Posey—

CS for SB 2044—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense to such a charge; providing an effective date.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senators Bennett and Atwater—

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as “churning” to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee’s qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer’s guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term “annuity” and defining the term “life insurance contract”; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date.

By the Committee on Regulated Industries; and Senator Villalobos—

CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; revising and providing definitions; amending s. 468.4315, F.S.; redesignating the Regulatory Council of Community Association Managers as the Board of Community Association Managers; revising membership criteria for members of the board; requiring the board to establish a public education program; providing that board members shall serve without compensation but are entitled to per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for licensure of community association management firms; providing application, licensure, and fee requirements; amending s. 468.433, F.S.; providing for the refusal of applicant certification under certain circumstances; conforming terminology; amending ss. 468.4337 and 468.4338, F.S.; conforming terminology to changes made by the act; amending s. 468.435, F.S.; conforming terminology to changes made by the act; removing statutory fee ranges; authorizing the board to establish specified fees; requiring the board to adopt rules establishing such fees; amending s. 468.436, F.S.; requiring that the Department of Business and Professional Regulation investigate certain complaints and allegations; providing complaint and investigation procedures; conforming cross-references and terminology; providing grounds for which disciplinary actions may be taken; authorizing the department to impose specified penalties on a community association management firm; authorizing the department to reissue the license of a disciplined community association manager or firm under certain circumstances; amending s. 718.110, F.S.; revising instances under which a declaration may be amended; requiring a majority vote of owners for approval of an amendment to a declaration; deleting a provision requiring amendments to declarations recorded after a specified date to be

approved by more than four-fifths of the voting interests; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; deleting legislative intent relating to insurance premiums for associations; providing policy requirements for windstorm insurance for condominium associations; providing deductible requirements; providing that a copy of the inspection report shall be maintained as an official record of the association; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations and in specified formats; providing civil and criminal sanctions, including sanctions against any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; requiring the association to maintain certain documents; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes to adopt certain rules; requiring certain audits and reports to be paid for by the developer if done prior to turnover of control of the association; restricting a condominium association from waiving a financial report for more than 2 consecutive years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; providing an exception that proxies may be used to establish a quorum; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; revising notice requirements for meetings to consider assessments; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; providing exceptions; requiring the association to provide a certification form to unit owners for specified purposes; removing a provision allowing an association to provide for different voting and election procedures in its bylaws; revising annual budget requirements; requiring proxy questions relating to reserves to contain a certain statement; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; revising methods by which the bylaws may be amended; providing for the removal of board members under certain circumstances; providing that directors delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; providing that directors charged with certain offenses involving an association’s funds or property be suspended from office pending resolution of the charge; amending s. 718.113, F.S.; authorizing the board to install specified hurricane protection; providing that no obligation of the board to close or cause to be closed any hurricane shutters is created; prohibiting any restrictions from being placed on the closing of hurricane shutters unless the board and association assume such responsibility when appropriate; requiring the board to have condominium buildings periodically inspected for specified purposes; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners’ appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; amending s. 718.301, F.S.; requiring developers to provide certain documents to the association within a specified time after turnover of control of the association; amending s. 718.3025, F.S.; providing maintenance and management services contract disclosure requirements; amending s. 718.3026, F.S.; removing a provision authorizing associations to opt out of certain provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; amending s. 718.501, F.S.; providing authority and responsibilities of the division; revising who constitutes an agent for purposes of cease and desist orders issued by the division; requiring the division to bring an action against a developer under certain circumstances; providing the division with certain powers; requiring the division to issue a subpoena under certain circumstances; requiring the division to maintain a list of condominium association board member and unit owner training programs and program providers; deleting obsolete language; amending s. 718.50151, F.S.; revising membership requirements for the Advisory Council on Condominiums; providing an effective date.

By the Committees on Criminal Justice; and Criminal Justice—

CS for SB 2152—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to submit to legislative officers and committees a report that states current restrictions on the employment of ex-offenders and possible alternatives that are compatible with protecting the public safety; requiring that such a report be submitted biennially; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; amending s. 760.10, F.S.; prohibiting an employer from requesting, making, or keeping certain criminal history records; prohibiting the criminal prosecution for perjury in certain circumstances; amending s. 943.0581, F.S.; authorizing the arresting agency or the agency where the warrant was issued to request an administrative expunction; amending s. 943.0585, F.S.; requiring the clerk of the court to place information about the availability of criminal history sealing and expunction on the court's Internet website and provide a link to the Department of Law Enforcement's website related to such information; clarifying under what circumstances a person may legally deny an expunged criminal history record; authorizing disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny a sealed criminal history record; authorizing a person to petition the court to seek a second criminal history record sealing under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study; specifying the research questions for the study; requiring a report to be submitted to the Legislature; providing an effective date.

By the Committees on Finance and Tax; Banking and Insurance; and Banking and Insurance—

CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; providing applicability for certain terms; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.;

revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing effective dates.

By the Committee on Judiciary; and Senator Jones—

CS for SB 2164—A bill to be entitled An act relating to trust administration; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circum-

stances; relieving excluded cotrustees from specified liabilities and obligations under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; requiring trustees to provide certain notice to beneficiaries; providing notice requirements; providing requirements for obtaining such a court order; specifying remedies; providing for specified refunds and sanctions; preserving certain court remedies; amending s. 736.1008, F.S.; specifying periods of repose barring claims by a beneficiary against a trustee; providing construction; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 2172—A bill to be entitled An act relating to detention by licensed security officers; amending s. 493.6305, F.S.; authorizing certain licensed security officers to detain certain individuals until the arrival of a law enforcement officer; providing limits on such detention; requiring that such security officers notify the appropriate law enforcement agency as quickly as possible; requiring the transfer of an alleged offender to the custody of the officer; authorizing limited searches of certain persons when a licensed security officer has probable cause to believe that the person is armed with a dangerous weapon; requiring that seized weapons be provided to a responding law enforcement officer; amending s. 493.6118, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch.

415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

By the Committees on Agriculture; and Agriculture—

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

By the Committees on Governmental Operations; and Community Affairs—

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law;

amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

By the Committee on Finance and Tax; and Senator Baker—

CS for SB 2248—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; providing for certain sales to be conducted by electronic means; requiring that electronic sales comply with specified procedures; providing exceptions; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; providing a service charge to be received by clerks for sales conducted by electronic means under a specified provision; providing an exception to the fee for moneys in the registry of the court; amending s. 197.542, F.S.; providing for electronic tax deed sales; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; providing an effective date.

By the Committee on Agriculture; and Senator Dean—

CS for SB 2286—A bill to be entitled An act relating to arboriculture; creating ch. 598, F.S.; providing a short title; providing a statement of purpose; providing definitions; providing powers and duties of the Department of Agriculture and Consumer Services; authorizing the department to adopt rules; establishing a fee schedule for licensure as an arborist; providing for the deposit and use of fee proceeds; establishing licensure procedures and requirements to practice arboriculture and provide arboriculture services; providing for the issuance of a license; providing for license renewal; providing for the reactivation of a license under certain conditions; providing for the issuance of a duplicate license under certain circumstances; requiring that the department maintain a roster of licensed arborists; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Governmental Operations; and Senators Ring, Diaz de la Portilla and Crist—

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

By the Committee on Higher Education; and Senators Posey and Fasano—

CS for SB 2324—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing that the exempt status of charges imposed under a contract entered into before a specified date will end after another specified date; providing an effective date.

By the Committee on Agriculture; and Senators Aronberg and Baker—

CS for SB 2352—A bill to be entitled An act relating to protecting urban and residential environments and water; creating s. 403.9335, F.S.; providing a short title; creating s. 403.9336, F.S.; providing legislative findings; creating s. 403.9337, F.S.; requiring that the Department of Environmental Protection adopt the “Florida Friendly Fertilizer Use on Urban Landscapes Model Ordinance” on or before a specified date; requiring that the department, in consultation with certain entities, review the model ordinance and adopt changes as necessary within specified periods; authorizing a county or municipal government meeting certain criteria to adopt provisions in addition to or more stringent than those contained in the model ordinance; authorizing any county or municipal government to adopt provisions in addition to or more stringent than those contained in the model ordinance under certain conditions; authorizing such counties to consult with certain entities when establishing such provisions; exempting certain counties or municipal governments from the requirement to adopt the model ordinance; creating s. 403.9338, F.S.; requiring that the minimum training program for limited certification for commercial fertilizer application issued by the Department of Agriculture and Consumer Services be designed, approved, and made available by the Department of Environmental Protection and the Institute of Food and Agricultural Sciences; providing training requirements; requiring the Department of Environmental Protection to contract with the Institute of Food and Agricultural Sciences for the purpose of leading the training effort; providing for colocation of programs; requiring that the Department of Environmental Protection provide training coordinators for the program; providing for certain regional classes; requiring certification of trainers; providing criteria for persons seeking to qualify as trainers; requiring the publication of certain training information; requiring the issuance of the trainer certificate on or before a specified date; requiring the maintenance and publication of a list of qualified trainers; amending s. 482.021, F.S.; providing definitions; amending s. 482.091, F.S.; requiring the issuance of identification cards containing certain information for persons who apply fertilizer commercially to urban landscape; requiring that such identification cards be obtained and used in certain ways; providing an exception; amending s. 482.156, F.S.; deleting a requirement for proof of certain training requirements established by the Department of Agriculture and Consumer Services; providing certain exceptions for persons holding the limited certificate for commercial landscape maintenance; requiring such persons to receive specified training on or before a specified date; creating s. 482.1561, F.S.; providing for the regulation of the application of commercial fertilizer on urban landscape and urban turf; requiring the certification of such applicators by the department; requiring certain applicators to be under the direct supervision of certain certified persons; requiring that the application of such fertilizer be in compliance with best-management practices adopted by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; creating s. 482.1562, F.S.; establishing a limited certification category for commercial fertilizer application under the Department of Agriculture and Consumer Services; requiring the completion of a minimum training program before application for certification; providing application fees; providing recertification requirements and fees; authorizing the department to provide certain information to certain agencies; specifying limitations of certification; creating s. 482.1563, F.S.; authorizing the department to adopt rules; amending s. 482.2401, F.S.; requiring the deposit of moneys collected pursuant to certain fines into the Pest Control Trust Fund; providing for the use of such funds; providing an effective date.

By the Committee on Regulated Industries; and Senator Aronberg—

CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; authorizing a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit and license to conduct greyhound racing if certain conditions are met; providing for the conversion of certain permits; providing for the applicability of certain provisions of state law to converted permits; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 2394—A bill to be entitled An act relating to the protection of springs; creating part IV of ch. 369, F.S.; providing a short title; providing legislative findings and intent with respect to the need to protect and restore springs and groundwater; providing definitions; requiring the Department of Environmental Protection to delineate the springsheds of specified springs; requiring the department to adopt spring protection zones by secretarial order; requiring that the department adopt total maximum daily loads and basin management action plans; providing effluent requirements for domestic wastewater treatment facilities; providing requirements for onsite sewage treatment and disposal systems; providing requirements for agricultural operations; authorizing the Department of Environmental Protection, the Department of Health, and the Department of Agriculture and Consumer Services to adopt rules; amending s. 163.3177, F.S.; requiring certain local governments to adopt a springs protection element as one of the required elements of the comprehensive plan by a specified date; providing that certain design principles be included in the element; requiring the Department of Environmental Protection and the state land planning agency to make information available concerning best-management practices; prohibiting a local government that fails to adopt a springs protection element from amending its comprehensive plan; amending s. 403.1835, F.S.; including certain areas of critical state concern and the spring protection zones established by the act among projects that are eligible for certain financial assistance; requiring the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the St. Johns River Water Management District, and the Southwest Florida Water Management District to assess nitrogen loading and begin implementing management plans within the spring protection zones by a specified date; directing the Department of Environmental Protection to establish the Florida Springs Stewardship Task Force; providing for task force membership and duties; requiring a report to the Legislature by a date certain; providing for assistance and support from state agencies and local governments; providing for expiration of the task force by a date certain; providing an effective date.

By the Committee on Commerce; and Senator Posey—

CS for SB 2458—A bill to be entitled An act relating to trust funds; amending s. 288.1087, F.S.; creating the Space and Aerospace Development Infrastructure Enhancement Fund within the Office of Tourism, Trade, and Economic Development; providing for annual carryforward of funds; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

By the Committee on Banking and Insurance; and Senator Gaetz—

CS for SB 2462—A bill to be entitled An act relating to group self-insurance funds; amending s. 624.4621, F.S.; authorizing the board of trustees of certain self-insurers to declare any moneys in excess of the amount necessary to fund all obligations of the self-insurer as refundable to the members or policyholders of the self-insurer; authorizing the board to distribute such dividends or premium refunds at the board's discretion, in accordance with the agreement establishing the self-insurer; providing limitations; requiring that such self-insurers receive prior written approval from the office for any dividend or premium refunds during a specified period after such self-insurers commence operations; requiring that a notice or request for refund contain certain information; providing for the submission of certain information to the

Office of Insurance Regulation if a self-insurer does not make or declare a dividend or member distribution payable during a given fund year; requiring that the office issue a decision within a specified period after receiving a request; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 2484—A bill to be entitled An act relating to public records; renumbering and amending s. 119.0711(1), F.S.; transferring provisions that provide a public-records exemption for complaints and other records in the custody of any agency in the executive branch of state government which relate to a complaint of discrimination; expanding the exemption to provide for applicability to any agency rather than any agency in the executive branch of state government; amending s. 119.071, F.S.; reorganizing provisions; providing for review and repeal of the exemption; providing a statement of public necessity; amending s. 338.223, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SM 2488—A memorial to the Congress of the United States, urging Congress to pass legislation that exempts from taxation all reserves placed in escrow for the exclusive use of paying potential future property insurance claims arising out of natural catastrophes.

By the Committee on Banking and Insurance; and Senator Deutch—

CS for SB 2528—A bill to be entitled An act relating to insurance representatives; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; revising certain continuing education applicability requirements; prohibiting certain entities from imposing certain continuing education requirements; providing exceptions and limitations; providing an exception to certain examination monitoring requirements; providing requirements for exceptions; amending s. 626.311, F.S.; authorizing agents qualifying as unaffiliated insurance consultants to transact insurance business within the scope of the agent's license; providing a definition; providing requirements for qualifying or continuing to qualify as an unaffiliated insurance consultant; specifying prohibited activities for unaffiliated insurance consultants; amending s. 626.381, F.S.; authorizing appointing entities to impose certain training program requirements; providing a limitation; limiting appointment authority of appointing entities to persons meeting continuing education requirements; prohibiting appointments contingent upon certain continuing education course attendance; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Storms, Baker, Diaz de la Portilla, Alexander, Fasano, Villalobos, Bennett, Constantine, Crist, Dean, Gaetz and Wise—

CS for SB 2546—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.;

requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; creating s. 1000.38, F.S.; authorizing the Governor to designate a Compact Commissioner and Military Family Education Liaison; creating duties and responsibilities; creating s. 1000.39, F.S.; creating the State Advisory Council for the Interstate Compact on Educational Opportunity for Military Children; providing a purpose; requiring the council to make specified recommendations; providing membership; providing terms for certain members; prohibiting compensation for members, except reimbursement for per diem and travel expenses; providing for records and open meetings; requiring the Department of Education to provide administrative support; prescribing procedures if the council is abolished; providing for future legislative review and repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S.; providing a contingent effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Deutch and Lynn—

CS for SB 2552—A bill to be entitled An act relating to child custody and visitation; amending s. 61.13, F.S.; revising the application of a rebuttable presumption that a parent is a detriment to his or her child if he or she is convicted of a crime involving domestic violence from a felony of the third degree or higher to a misdemeanor of the first degree or higher; requiring a court to make explicit written findings that, when determining the best interests of a child for the purposes of shared parental responsibility and visitation, the court considered evidence of domestic or sexual violence and child abuse, abandonment, or neglect; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2584—A bill to be entitled An act relating to trust funds; creating the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund within the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2586—A bill to be entitled An act relating to trust funds; creating the Fire Prevention and Public Safety Trust Fund within the Department of Financial Services; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Health Regulation; and Senator Atwater—

CS for SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; authorizing the department to contract with consultants to provide treatment services for students of allopathic and osteopathic medicine and nursing students who are alleged to be impaired; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Depart-

ment of Health to implement an electronic benefits transfer system for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); revising the method by which the Bureau of WIC and Nutrition Services calculates the statewide average retail price of certain items; requiring the department to petition the United States Department of Agriculture regarding certain price increases; providing for the sale, conveyance, or devise of certain establishments; requiring reauthorization of contracts with WIC-approved vendors; prohibiting WIC-approved vendors from discontinuing certain generic products; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 2660—A bill to be entitled An act relating to cultural and historical programs; creating s. 265.7025, F.S.; providing definitions; amending s. 265.703, F.S.; providing for more than one citizen support organization; adding historical and museum programs to those programs that can be assisted by the citizen support organizations of the Division of Cultural Affairs of the Department of State; revising the name of the trust fund into which funds are deposited; providing that information of the citizen support organization for the Museum of Florida History which is confidential and exempt pursuant to s. 267.17, F.S., retains its status; creating s. 265.704, F.S.; providing powers and duties of the Division of Cultural Affairs related to historical museums; creating s. 265.705, F.S.; providing state policy relating to historic properties; creating s. 265.706, F.S.; authorizing the division to acquire, maintain, preserve, interpret, exhibit, and make available for study certain objects having historical or archaeological value; vesting title of such objects in the division; requiring maintenance of records; requiring inventory of objects of specified value; authorizing the division to loan, exchange, sell, or otherwise transfer certain objects; providing exemptions from ch. 273, F.S.; providing for deposit and use of funds; requiring the adoption of rules; providing a penalty for certain violations by a custodian; providing for insuring of certain items; amending and renumbering s. 267.072, F.S., relating to the Museum of Florida History and its programs; transferring the responsibility for and administration of the Museum of Florida History, its programs, and the citizen support organization for the museum from the Division of Historical Resources to the Division of Cultural Affairs; providing for the operation of additional stores associated with the Museum of Florida History; authorizing the Division of Cultural Affairs to operate other historical museums; conforming provisions to changes made by the act; amending and renumbering s. 267.0619, F.S., relating to historical museum grants under the Division of Historical Resources of the Department of State; transferring the grant program to the Division of Cultural Affairs; conforming provisions to changes made by the act; providing that a for-profit corporation, partnership, or organization is ineligible for receipt of such grants; creating s. 265.709, F.S.; authorizing the Division of Cultural Affairs to promote and encourage the writing of Florida history through certain activities; authorizing the collecting, editing, and publishing of documents related to Florida history; authorizing the division to establish a reasonable charge for such publications; providing for such proceeds to be deposited in the Grants and Donations Trust Fund or certain separate depository accounts; amending s. 267.0612, F.S.; providing a uniform starting date for all appointments to the Florida Historical Commission; amending s. 267.071, F.S.; removing the Museum of Florida History as one of the historical museums that the Division of Historical Resources is required to encourage, promote, maintain, and operate; amending s. 267.0731, F.S.; adding representatives of the Secretary of State to the list of representatives on the ad hoc committee responsible for making recommendations for Great Floridian nominations; deleting references to the citizen support organization for the Museum of Florida History; deleting responsibilities of the Museum of Florida History; requiring the Department of State to be the repository of certain films or videotapes produced concerning a Great Floridian as well as certain items related to such productions; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; amending s. 272.129, F.S.; authorizing a citizen support organization for the Legislative Research Center and Museum at the Historic Capitol, which is known as the "center"; requiring the citizen support organization to be a corporation not for profit; authorizing the citizen support organization to perform certain tasks for the direct and indirect benefit of the center; authorizing the center to prescribe conditions with which the citizen support organization must comply in order to use fixed property or facilities of the center; prohibiting the center from permitting a citizen

support organization to use the center's facilities under certain conditions; requiring that the citizen support organization provide for an annual audit; providing that records of the organization are public records; requiring that certain funds be deposited into the account of the citizen support organization; providing for reversion of funds to the state under certain circumstances; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Storms, Wise and Baker—

CS for SB 2692—A bill to be entitled An act relating to the teaching of chemical and biological evolution; providing a short title; providing legislative intent; defining the term “scientific information”; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

By the Committee on Health Regulation; and Senator Peadar—

CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a community-service dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a community-service dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a community-service dental license; providing that the failure of a holder of a community-service dental license to limit the practice of dentistry to community service settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding community-service dental licensure; amending s. 466.007, F.S.; authorizing the board to require certain applicants to successfully complete additional coursework if they fail to pass the clinical examination to practice dental hygiene; creating s. 466.00775, F.S.; requiring the board to adopt rules; repealing s. 466.008, F.S., relating to certification of foreign educational institutions; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or electronic copy of prescriptions; amending s. 466.023, F.S.; authorizing dental hygienists to do certain tasks with and without general supervision; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms “employer,” “officer or employee,” “past service,” “normal retirement date,” “regularly established position,” and “temporary position”; defining the terms “state board” and “trustees”; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in

the system; excluding the participation of entities under a lease agreement; amending s. 121.052, F.S.; changing the dates for when a governing body of a municipality or special district may elect to designate its elected positions for inclusion in the Elected Officers' Class; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.1905, F.S.; deleting provision describing the mission of the Division of Retirement; amending s. 121.23, F.S.; requiring the State Retirement Commission to meet the same requirements used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

By the Committee on Banking and Insurance; and Senators Atwater, Geller, Fasano, Garcia, Jones and Gaetz—

CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; allowing the State Board of Administration to charge a late fee for payment of remittances; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.418, F.S.; authorizing the Office of Insurance Regulation to immediately suspend the certificate of authority of an insurer that fails to provide information subpoenaed by the office; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret;

requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; providing for administrative penalties under certain conditions; creating s. 624.4305, F.S.; requiring an insurer planning to nonrenew more than a specified number of residential property insurance policies to notify the Office of Insurance Regulation and obtain approval; specifying procedures; prohibiting the office from approving the plan unless it determines that the insurer has met certain conditions; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from failing to promptly provide to the insured estimates of damage and a good faith explanation of the insurer's evaluation; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; providing that the cost of reinsurance shall be presumed excessive under certain conditions and, for reinsurance purchased from affiliated reinsurers, may not include broker fees; providing that projected hurricane losses are to be considered as provided in s. 627.0628, F.S., relating to hurricane loss models or methods found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; requiring that a rate filing contain all information that supports the filing; providing that after the office issues a notice of intent to disapprove the filing, no additional information is admissible in any subsequent administrative or judicial proceeding; repealing s. 627.062(6), F.S., relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to

levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; providing legislative findings; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain wind-borne-debris protection requirements; providing for applicability; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing criminal penalties for any person who willfully files a materially false or misleading rate filing, under certain conditions, and for any person who attempts to corruptly influence or obstruct the lawful regulation of the business of insurance; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Military Affairs and Domestic Security; and Senator Hill—

CS for SB 470—A bill to be entitled An act relating to seaport security standards; amending s. 311.12, F.S.; revising the membership of the Seaport Security Standards Advisory Council; amending s. 311.09, F.S.; revising the membership of the Florida Seaport Transportation and Economic Development Council; revising the duties of the Florida Seaport Transportation and Economic Development Council; requiring at least one annual council meeting; requiring an annual analysis and assessment of the economic impact of security on public seaports; requiring an annual report with recommendations to the Legislature; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By the Committee on Community Affairs; and Senators Garcia and Bullard—

CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing

Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

By the Committee on Transportation; and Senator Baker—

CS for SB 774—A bill to be entitled An act relating to transportation; amending s. 337.0261, F.S.; providing definitions; providing legislative findings with respect to the need for construction aggregate materials; requiring a super majority vote by the local government decisionmaking body in order to deny approval of a construction aggregate materials mining site; providing for a final determination to be made by the Governor and Cabinet sitting as the Administration Commission if the local government does not approve or deny an application for construction aggregate materials mining activities after two meetings or 3 months; requiring that the Administration Commission determine whether the evidence supports approval; applying provisions of the Uniform Rules of Procedure to the proceedings; providing that the act does not limit challenges to or appeals of construction aggregate materials mining site approvals; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Governmental Operations.

By the Committee on Environmental Preservation and Conservation; and Senators Haridopolos, Constantine, Gaetz, Justice, Baker, Jones, Lynn, Posey and Dockery—

CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and General Government Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department; amending s. 916.111, F.S.; requiring that a forensic evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defend-

ants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the department with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

—was referred to the Committees on Judiciary; and Health and Human Services Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1296—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for applicants who meet certain conditions to be certified as a licensed water well contractor; amending s. 373.536, F.S.; authorizing certain chairs of committees of the Senate and the House of Representatives to submit comments and objections to proposed budgets; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards of the water management districts, as provided in s. 120.54, F.S.; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; requiring that the task force submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before a specified date; requiring that the report contain certain information; requiring that the department and each water management district cooperate with the task force; requesting that all other agencies cooperate with the task force; providing for dissolution of the task force; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04,

F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; amending s. 1002.69, F.S.; requiring the ability to communicate in English to be included in the statewide kindergarten readiness screening criteria; providing an effective date.

—was referred to the Committees on Commerce; Education Pre-K - 12; and Transportation and Economic Development Appropriations.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; providing an effective date.

—was referred to the Committees on Community Affairs; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Villalobos—

CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; revising and providing definitions; amending s. 468.4315, F.S.; redesignating the Regulatory Council of Community Association Managers as the Board of Community Association Managers; revising membership criteria for members of the board; requiring the board to establish a public education program; providing that board members shall serve without compensation but are entitled to per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for licensure of community association management firms; providing application, licensure, and fee requirements; amending s. 468.433, F.S.; providing for the refusal of applicant certification under certain circumstances; conforming terminology; amending ss. 468.4337 and 468.4338, F.S.; conforming terminology to changes made by the act; amending s. 468.435, F.S.; conforming terminology to changes made by the act; removing statutory fee ranges; authorizing the board to establish specified fees; requiring the board to adopt rules establishing such fees; amending s. 468.436, F.S.; requiring that the Department of Business and Professional Regulation investigate certain complaints and allegations; providing complaint and investigation procedures; conforming cross-references and terminology; providing grounds for which disciplinary actions may be taken; authorizing the department to impose specified penalties on a community association management firm; authorizing the department to reissue the license of a disciplined community association manager or firm under certain circumstances; amending s. 718.110, F.S.; revising instances under which

a declaration may be amended; requiring a majority vote of owners for approval of an amendment to a declaration; deleting a provision requiring amendments to declarations recorded after a specified date to be approved by more than four-fifths of the voting interests; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; deleting legislative intent relating to insurance premiums for associations; providing policy requirements for windstorm insurance for condominium associations; providing deductible requirements; providing that a copy of the inspection report shall be maintained as an official record of the association; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations and in specified formats; providing civil and criminal sanctions, including sanctions against any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; requiring the association to maintain certain documents; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes to adopt certain rules; requiring certain audits and reports to be paid for by the developer if done prior to turnover of control of the association; restricting a condominium association from waiving a financial report for more than 2 consecutive years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; providing an exception that proxies may be used to establish a quorum; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; revising notice requirements for meetings to consider assessments; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; providing exceptions; requiring the association to provide a certification form to unit owners for specified purposes; removing a provision allowing an association to provide for different voting and election procedures in its bylaws; revising annual budget requirements; requiring proxy questions relating to reserves to contain a certain statement; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; revising methods by which the bylaws may be amended; providing for the removal of board members under certain circumstances; providing that directors delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; providing that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; amending s. 718.113, F.S.; authorizing the board to install specified hurricane protection; providing that no obligation of the board to close or cause to be closed any hurricane shutters is created; prohibiting any restrictions from being placed on the closing of hurricane shutters unless the board and association assume such responsibility when appropriate; requiring the board to have condominium buildings periodically inspected for specified purposes; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; amending s. 718.301, F.S.; requiring developers to provide certain documents to the association within a specified time after turnover of control of the association; amending s. 718.3025, F.S.; providing maintenance and management services contract disclosure requirements; amending s. 718.3026, F.S.; removing a provision authorizing associations to opt out of certain provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; amending s. 718.501, F.S.; providing authority and responsibilities of the division; revising who constitutes an agent for purposes of cease and desist orders issued by the division; requiring the division to bring an action against a developer under certain circumstances; providing the division with certain powers; requiring the division to issue a subpoena under certain circumstances; requiring the division to maintain a list of condominium association board member and unit owner training programs and program providers; deleting obsolete language; amending s. 718.50151, F.S.; revising membership requirements for the Advisory Council on Condominiums; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Judiciary.

By the Committees on Banking and Insurance; and Banking and Insurance—

CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of “retention,” “covered policy,” and “estimated claims-paying capacity” to account for the creation of the division; defining the terms “division,” “director,” “FHCF,” “fund,” and “board”; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home

Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By the Committees on Governmental Operations; and Community Affairs—

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law; amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

—was placed on the Calendar.

ENROLLING REPORTS

SB 1676, CS for SB 1678, SB 1680, and SB 1682 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 31, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 27 was corrected and approved.

CO-INTRODUCERS

Senators Baker—SB 186, CS for SB 1116, CS for SB 1442, SB 1628, CS for SB 2060, SB 2350, SB 2418, CS for SB 2692; Bennett—CS for SB 164, SB 608; Bullard—SB 520, SB 1010, SB 2554; Crist—SB 1536, CS for CS for SB 2012, CS for CS for SB 2026, SB 2538, CS for SB 2654; Dawson—CS for SB 2654; Dean—CS for SB 1580, CS for SB 2654; Deutch—CS for SB 164, SB 226; Diaz de la Portilla—SB 678, SB 1668; Dockery—SB 74, CS for SB 82, SB 88, CS for SB 92, CS for CS for SB 108, CS for SB 116, CS for SB 192, CS for SB 268, CS for SB 276, CS for SB's 340 and 1612, SB 420, SB 432, SB 472, CS for SB 502, CS for CS for SB's 556 and 748, SB 562, CS for SB 614, CS for SB 644, CS for SB 756, SB 790, SB 846, CS for SB's 1094 and 326, SB 1668, CS for SB 1704, CS for SB 2654; Gaetz—CS for CS for SJR 2308, CS for SB's 2860 and 1196; Haridopolos—CS for SB 850, SR 974; Hill—SR 1236, CS for SB 1580, SB 2424; Joyner—CS for SB 614, CS for SB 2654; Justice—CS for SB 2654; King—SB 1668; Lawson—SB 1668; Lynn—CS for CS for SB 1652, CS for CS for SB 1670, CS for CS for CS for SB 1712, CS for CS for SB 1906, CS for SB 1908, CS for SB 2552; Margolis—CS for SB 164; Siplin—SB 798; Storms—CS for SB 1012, SB 1668

The following withdrew as introducers: Senators Alexander—SB 1376; Fasano—SB 2148; and Lynn—CS for SB 320.

Senator Dean was recorded as introducer of SB 1376.

RECESS

On motion by Senator King, the Senate recessed at 4:24 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Thursday, April 3 or upon call of the President.

SENATE PAGES

March 31-April 4, 2008

John Auber, Tallahassee; Carolina J. Boulware, Gainesville; Amber Brown, St. Petersburg; Ashley Carter, Ocoee; Molly Domingo, Sarasota; Matt Fleishman, Davie; India Glover, Jacksonville; Ibrahim A. Hafez, Sanford; Justin Hoover, Okeechobee; Raymond Huston, Tallahassee; Cydnee "Sydney" Johnson, Jacksonville; Kayla K. Malone, Miami; Michael J. McGee, Tallahassee; John W. Pehr, Jr., Ormond Beach; Amber Quill, Port Charlotte; David "Alex" Roberts, Ponce de Leon; Ariel Rothfield, Weston; Jonathan "Jon" Saunders, Naples; Matthew "Matt" Saunders, Naples; Shaun E. Slapp, Port Charlotte; Steven "Jake" Taylor, Sarasota